

UNITED STATES OF AMERICA)
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 Plaintiff,)
)
 v.) Criminal No. 5:14-CR-00244
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)
 DONALD L. BLANKENSHIP)
)
 Defendant.)

Donald L. Blankenship, by and through counsel, respectfully moves this Court for an extension of time to file a memorandum in support of his motion to vacate, set aside, and correct his sentence and conviction as contrary to the laws and Constitution of the United States pursuant to 28 U.S.C. § 2255 (“Section 2255 Motion”).

As discussed in the Section 2255 Motion, Mr. Blankenship understands that the Department of Justice’s Office of Professional Responsibility (“OPR”) is conducting an investigation into the conduct of the prosecutors in Mr. Blankenship’s case. Mr. Blankenship expects that OPR will issue its report in the near future. Because the findings of the OPR report are likely to add material information to the subject matter of the Section 2255 Motion, the interests of justice will be best served if Mr. Blankenship has the opportunity to address that information in his briefing. In addition, Mr. Blankenship learned of relevant new materials as recently as April 6, 2018, and it is likely that more may come to light in the coming weeks.

Therefore, Mr. Blankenship respectfully requests that the Court to extend the time to file a memorandum in support until an appropriate date after the OPR report has been issued.

Dated: April 17, 2018

Respectfully submitted,

/s/ Howard C. Vick
Howard C. Vick
Michael A. Baudinet
MCGUIREWOODS LLP
Gateway Plaza
800 E. Canal Street
Richmond, VA 23219-3916
Tel: (804) 775-1000
Fax: (804) 775-1061
tvick@mcguirewoods.com
mbaudinet@mcguirewoods.com

Benjamin L. Hatch
MGUIREWOODS LLP
World Trade Center
101 West Main Street
Suite 9000
Norfolk, VA 23510-1655
Tel: (757) 640-3700
Fax: (757) 640-3701
bhatch@mcguirewoods.com

/s/ W. Henry Jernigan, Jr.
W. Henry Jernigan, Jr. (WVSB No. 1884)
DINSMORE & SHOHL LLP
707 Virginia Street, East, Suite 1300
P.O. Box 11887
Charleston, West Virginia 25339-1887
Telephone: (304) 357-0900
Facsimile: (304) 357-0919
henry.jernigan@dinsmore.com

Counsel for Donald L. Blankenship

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
Beckley Division**

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| DONALD L. BLANKENSHIP |) | |
| |) | |
| Defendant. |) | |

CERTIFICATE OF SERVICE

I, W. Henry Jernigan, do hereby certify that a foregoing **Motion for Extension of Time to Submit a Memorandum in Support of Motion to Vacate Pursuant to 28 U.S.C. § 2255** was served through the Court's electronic filing system on this the 17th day of April, 2018 upon the following counsel of record:

Michael B. Stuart, Esquire
U.S. Attorney for the Southern District of West Virginia
Robert C. Byrd U.S. Courthouse
300 Virginia Street, East, Suite 4000
Charleston, WV 25301

/s/ W. Henry Jernigan, Jr.
W. Henry Jernigan, Jr. (WVSB No. 1884)